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## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
 US Department of Commerce  
 United States Patent and Trademark  
 Office, PCT  
 2011 South Clark Place Room  
 CP2/5C24  
 Arlington, VA 22202  
 ETATS-UNIS D'AMERIQUE  
 in its capacity as elected Office

Date of mailing (day/month/year) 30 March 2001 (30.03.01)	
International application No. PCT/JP00/04760	Applicant's or agent's file reference IH-115
International filing date (day/month/year) 14 July 2000 (14.07.00)	Priority date (day/month/year) 16 July 1999 (16.07.99)
Applicant OGAWA, Munekazu et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
 16 February 2001 (16.02.01)

☐ in a notice effecting later election filed with the International Bureau on:  
 \_\_\_\_\_

2. The election ☒ was  
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Kiwa Mpay Telephone No.: (41-22) 338.83.38
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## PATENT COOPERATION TREATY

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REC'D 07 SEP 2001

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## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

6

Applicant's or agent's file reference IH-115		<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP00/04760	International filing date (day/month/year) 14/07/2000	Priority date (day/month/year) 16/07/1999	
International Patent Classification (IPC) or national classification and IPC A01N43/50			
Applicant ISHIHARA SANGYO KAISHA, LTD. et al.			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input checked="" type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 16/02/2001		Date of completion of this report 04.09.2001	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized officer  Bertrand, F  Telephone No. +49 89 2399 8606	



**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/JP00/04760

**I. Basis of the report**

1. With regard to the elements of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, pages:**

1-18 as originally filed

**Claims, No.:**

1-3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/JP00/04760

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:  
**see separate sheet**

## IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.  
☒ paid additional fees.  
☐ paid additional fees under protest.  
☐ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is:

- ☐ complied with.  
☒ not complied with for the following reasons:  
**see separate sheet**

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.  
☐ the parts relating to claims Nos. .

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Yes: Claims
	No: Claims 1-3
Inventive step (IS)	Yes: Claims
	No: Claims 1-3
Industrial applicability (IA)	Yes: Claims 1-3
	No: Claims

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

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International application No. PCT/JP00/04760

2. Citations and explanations  
see separate sheet

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/JP 00/04760

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	EP 0 753 258 A (ROHM & HAAS) 15 January 1997 (1997-01-15) claims 1,5	1-3
A	WO 99 11125 A (NOVARTIS ERFIND VERWALT GMBH ;GSELL BETTINA (CH); NOVARTIS AG (CH)) 11 March 1999 (1999-03-11) the whole document	1-3
X	PATENT ABSTRACTS OF JAPAN vol. 016, no. 443 (C-0985), 16 September 1992 (1992-09-16) & JP 04 154704 A (SUMITOMO CHEM CO LTD), 27 May 1992 (1992-05-27) abstract	1-3

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/JP 00/04760

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9927788 A	10-06-1999	PL 334555 A	13-03-2000
		ZA 9711153 A	11-06-1999
		AU 9604898 A	16-06-1999
		BG 102506 A	30-12-1999
		BR 9712240 A	31-08-1999
		CZ 9801893 A	13-10-1999
		EP 0973397 A	26-01-2000
		SK 83898 A	11-02-1999
WO 9603044 A	08-02-1996	FR 2722652 A	26-01-1996
		AT 196977 T	15-11-2000
		AU 700287 B	24-12-1998
		AU 3080595 A	22-02-1996
		BG 101231 A	28-11-1997
		BR 9508792 A	30-12-1997
		CA 2192989 A	08-02-1996
		CZ 9700180 A	16-04-1997
		DE 69519170 D	23-11-2000
		EG 20395 A	28-02-1999
		EP 0773720 A	21-05-1997
		HU 77234 A, B	02-03-1998
		JP 10503192 T	24-03-1998
		NZ 290153 A	25-02-1999
		PL 318328 A	09-06-1997
		RO 114863 B	30-08-1999
		SK 8697 A	10-09-1997
		TR 960082 A	21-06-1996
		US 6075042 A	13-06-2000
		US 5906986 A	25-05-1999
		ZA 9505935 A	20-02-1996
EP 0639574 A	22-02-1995	DE 69410894 D	16-07-1998
		DE 69410894 T	10-12-1998
		DK 639574 T	12-10-1998
		JP 2614700 B	28-05-1997
		JP 7089946 A	04-04-1995
		KR 124552 B	08-12-1997
		US 5514643 A	07-05-1996
EP 0753258 A	15-01-1997	AT 177287 T	15-03-1999
		AU 721611 B	13-07-2000
		AU 5622796 A	23-01-1997
		BR 9603042 A	22-04-1998
		CA 2180225 A	13-01-1997
		CN 1145722 A	26-03-1997
		DE 69601666 D	15-04-1999
		DE 69601666 T	21-10-1999
		DK 753258 T	27-09-1999
		ES 2128821 T	16-05-1999
		GR 3029653 T	30-06-1999
		JP 2999962 B	17-01-2000
		JP 9124413 A	13-05-1997
		KR 248185 B	01-04-2000
WO 9911125 A	11-03-1999	AU 9437398 A	22-03-1999
		BR 9812022 A	26-09-2000
		CN 1268025 T	27-09-2000
		EP 1006795 A	14-06-2000



# INTERNATIONAL SEARCH REPORT

information on patent family members

International Application No

PCT/JP 00/04760

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9911125 A		PL 337992 A SK 2492000 A ZA 9807840 A	25-09-2000 11-07-2000 01-03-1999
JP 04154704 A	27-05-1992	NONE	

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/JP 00/04760

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

☐ The additional search fees were accompanied by the applicant's protest.

☒ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-3 (all partly)

Pesticidal composition and method using an imidazole derivative of formula (I) according to claim 1 and (S)-5-methyl-2-methylthio-5-phenyl-3-phenylamino-3,5-dihydroimidazole-4-one.

2. Claims: 1-3 (all partly)

Pesticidal composition and method using an imidazole derivative of formula (I) according to claim 1 and isopropyl 2-methyl-1-[(1-p-toly)ethyl]carbamoyl-(S)-propylcarbamate.

3. Claims: 1-3 (all partly)

Pesticidal composition and method using an imidazole derivative of formula (I) according to claim 1 and 3,5-dichloro-N-(3-chloro-1-ethyl-1-methyl-2-oxopropyl)-4-methylbenzamide.

4. Claims: 1-3 (all partly)

Pesticidal composition and method using an imidazole derivative of formula (I) according to claim 1 and N-(alpha-cyano-2-thienyl)-4-ethyl-2-(ethylamino)-5-thiazole carboxamide.